



# The Commonwealth of Massachusetts

## DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

### NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 06-10

February 14, 2006

Petition of NSTAR Gas Company to the Department of Telecommunications and Energy, pursuant to G.L. c. 164, § 94A, for approval of a replacement agreement for gas supply with Constellation Power Source, Inc.

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On February 8, 2006, NSTAR Gas Company ("NSTAR" or "Company") filed a petition with the Department of Telecommunications and Energy ("Department") for approval of a gas supply replacement agreement with Constellation Power Source, Inc. ("Constellation") whereby Constellation will provide NSTAR with 4,553 MMBtu/day of gas supply delivered to Waddington, New York, for a five-year period from November 1, 2006, through November 30, 2011 (the "Agreement"). During this same time period, NSTAR will release to Constellation 4,553 MMBtu/day of firm transportation capacity on Iroquois Gas Transmission System and 4,500 MMBtu/day of firm transportation capacity on Tennessee Gas Pipeline. The Agreement covers a period in excess of one year and is therefore subject to the Department's jurisdiction under G.L. c. 164, § 94A. This matter has been docketed as D.T.E. 06-10.

The Department will hold a public hearing to receive comments on NSTAR's petition. The hearing will take place on **Tuesday, March 7, 2006**, at 3:00 p.m. at the Department's offices, One South Station, 2nd Floor, Boston, Massachusetts, 02110. A procedural conference will follow immediately thereafter. The petition and accompanying exhibits are available for inspection at the Company's office, NSTAR Gas Company, One NSTAR Way, Westwood, Massachusetts, 02090, and at the Department's offices, Monday through Friday, between the hours of 9:00 A.M. and 5:00 P.M.

Any person who desires to file written comments or to participate otherwise in this proceeding shall file an original and four (4) copies of such written comments or petition for leave to intervene in the proceeding with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts, 02110, no later than 5:00 p.m. on **Friday, March 3, 2006**, and serve one (1) copy on counsel for the Company, Cheryl M. Kimball and John K. Habib, Keegan Werlin, LLP, 265 Franklin Street, Boston, Massachusetts, 02110-3313.

A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

Please submit a copy of all nonproprietary written pleadings, comments, or petitions to intervene to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) and [carol.pieper@state.ma.us](mailto:carol.pieper@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding, D.T.E. 06-10; (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. Text responses should be formatted as either Word Perfect, Microsoft Word, or Adobe PDF compatible files. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dte>.

Any person desiring further information regarding this notice may contact Carol M. Pieper, Hearing Officer, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts, 02110, tel. (617) 305-3561.